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6 **DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 TUAN ANH PHAM, an individual;

9 Plaintiff,

10 vs.

11 LAS VEGAS SUPERSTORE, INC., a
12 Nevada Corporation

13 Defendants.

14 Case No. 2:14-CV-02085-GMN-PAL

15 **STIPULATION AND ORDER TO
WITHDRAW MOTION TO DISMISS
AND ALLOW PLAINTIFF TO FILE
SECOND AMENDED COMPLAINT**

16 Plaintiff Tuan Anh Pham (“Plaintiff”), and Defendant Las Vegas Superstore, Inc.
17 (“Defendant”), by and through their respective counsels of record, submit this stipulation
18 wherein Defendant agrees to withdraw its Motion to Dismiss (Dkt. #17) and Plaintiff
19 agrees to file a Second Amended Complaint which will address the deficiencies noted in
20 Defendant’s Motion, as well as clarify his claims to more properly put Defendant on notice
21 of such claims. Plaintiff agrees to file the Second Amended Complaint by September 24,
22 2015. Nothing in this stipulation prevents Defendants from bringing a separate Motion to
23 Dismiss following Plaintiff’s Second Amended Complaint, if Defendant believes such
24 Motion to be necessary at that time.

25 Moreover, Plaintiff also withdraws his Motion for Default (Dkt. #13).

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27 ///

1 THEREFORE, the parties agree as follows:

2 1) Defendant hereby withdraws its Motion to Dismiss (Dkt. #17) without prejudice;

3 2) Plaintiff is instructed to file a Second Amended Complaint by September 24, 2015;

4 and

5 3) Plaintiff hereby withdraws his Motion for Default (Dkt. #13).

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8 Dated: September 16, 2015

9 Respectfully submitted,

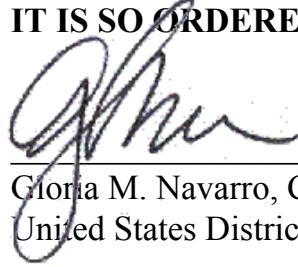
10 By: /s/ Jeffrey Gronich
11 Jeffrey Gronich, Esq.
12 Jeffrey Gronich, Attorney at Law, P.C.
13 1810 E. Sahara Ave, Suite 109
14 Las Vegas, NV 89104
15 *Attorneys for Plaintiff*

16 Dated: September 16, 2015

17 Respectfully submitted,

18 By: /s/ Adam R. Knecht
19 Kurt R. Bonds, Esq.
20 Adam R. Knecht, Esq.
21 Alverson, Taylor, Mortensen & Sanders
22 7401 W. Charleston Boulevard
23 Las Vegas, NV 89117
24 *Attorneys for Defendants*

16 IT IS SO ORDERED.

17 
18 Gloria M. Navarro, Chief Judge
19 United States District Court

20 **DATED: 09/22/2015**